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Sim & McBurney
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DATE: December 13, 2005

Your Ref: 09/762,765

Our Ref: 1811-228 MIS:ah

TO:	FAX #	PHONE #
The United States Patent Office	571-273-8300	

Total Number of Pages (Including This Page): 15

FROM: Michael I. Stewart / 416-849-8400

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PTO/SB/21 (09-04)

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FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	09/762,765
Filing Date	May 1, 2001
First Named Inventor	Coslast Tzoganakis
Art Unit	1713
Examiner Name	Fred M. Tousin
Attorney Docket Number	1811-228 M/S:ah

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ENCLOSURES (Check all that apply)		
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<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Petition to Withdraw Holding of Abandonment
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	<input type="checkbox"/> Copy of Amendment and copy of Transmittal form.
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
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Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Sim & McBurney		
Signature	<i>Michael Stewart</i>		
Printed name	Michael I. Stewart		
Date	December 13, 2005	Reg. No.	24,973

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature	<i>Michael Stewart</i>	Date	<i>Dec. 13/05</i>
Typed or printed name	Michael I. Stewart		

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including the gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl'n. No. : 09/762,765 Confirmation No.: 7506
Applicant : Costas Tzoganakis, et al.
Filed : May 1, 2001
Title : MELT PHASE HYDROSILYLATION OF POLYPROPYLENE
Grp./A.U. : 1713
Examiner : Fred M. Teskin
Docket No. : 1811-228 MIS/ah
Date : December 13, 2005

BY FACSIMILE (703) 872-9306

Mail Stop Amendment
Commissioner of Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
U.S.A.

Attention: Group Director
Group 1700

Petition to Withdraw Holding of Abandonment

A Notice of Abandonment has been received dated November 25, 2005. The Notice of Abandonment indicates that the application stands abandoned for failure to respond in timely manner to the Office Action of April 28, 2005.

This is incorrect. An Amendment responsive to the Office Action was transmitted to the Office by facsimile on July 15, 2005. Our records show that the facsimile transmission was successful and hence it should be presumed that the Amendment was received in the PTO and perhaps mislaid.

In support of this Petition, enclosed herewith are:

The transmittal form and Amendment as transmitted to the PTO and a copy of our facsimile confirmation report showing receipt of all eleven pages of the transmission by the PTO.

Application No. 09/762,765
Arndt. dated December 13, 2005
Reply to Office Action of November 25, 2005

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Under the circumstances, it is submitted that the Notice of Abandonment
should be rescinded and the application returned to pending status.

Respectfully submitted,

Michael Stewart
Michael I. Stewart
Reg. No. 24,973

Toronto, Ontario, Canada,
(416) 849-8400
FAX No. (416) 595-1163

Confirmation Report - Memory Send

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Sim & McBurney
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DATE: July 15, 2005
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Our Ref: 1811-228 MIS:ah

TO:	FAX #	PHONE #
The United States Patent Office	671-273-8300	

Total Number of Pages (Including This Page): 42-1

FROM: Michael I. Stewart / 239

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